

## **REMARKS**

By this amendment, claims 1-10 have been amended. Claims 1-10 remain in the application. Support for the amendments to the claims can be found the specification and drawings. No new matter has been added. This application has been carefully considered in connection with the Examiner's Action. Reconsideration, and allowance of the application, as amended, is respectfully requested.

### **Objection to The Claims**

Claim 3 was objected to because of an informality. Applicant respectfully traverses this objection for at least the following reason. Claim 3 has been amended as indicated herein above to depend from claim 2, and thus provide proper antecedent basis for the containment pins. Accordingly, the objection to claim 3 has now been overcome. Withdrawal of the objection is respectfully requested.

### **Rejection under 35 U.S.C. §102**

Claim 1 recites light burner comprising:

- a discharge chamber containing a gas sealed in the discharge chamber by a seal;

- a pair of electrode shafts, each of which partially intrudes from the seal into the discharge chamber;

- a wrapping, at least partially contained in the seal, freely wound around at least one of the electrode shafts; and

- a number of containment elements positioned along the longitudinal axis of the electrode, wherein the number of containment elements are configured to (i) constrain the wrapping in its motion and (ii) allow substantial free movement of the wrapping to expand over the electrode shaft in both radial and axial directions within the constrained motion.

Support for the amendments to claim 1 (as well as for claim 6) can be found in the specification at least on page 4, lines 2-5, 14-15, 25-27; page 5, line 1; page 6, lines 11-12, 16-20; and page 12, lines 1-4.

Claims 1, 4 and 5 were rejected under 35 U.S.C. § 102(b) as being anticipated by **Yoshida et al.** (US 5,936,350).

The PTO provides in MPEP § 2131 that

*"[t]o anticipate a claim, the reference must teach every element of the claim...."*

Therefore, with respect to claim 1, to sustain this rejection the **Yoshida et al.** patent must contain all of the above claimed elements of the respective claims. However, contrary to the examiner's position that all elements are disclosed in the **Yoshida et al.** reference, the latter reference does not disclose a light burner having "a number of *containment elements ... configured* to (i) *constrain* the wrapping in its motion and (ii) *allow substantial free movement* of the wrapping to expand over the electrode shaft *in both* radial and axial directions within the *constrained motion*" as is recited in claim 1 (emphasis added). Therefore, the rejection is not supported by the **Yoshida et al.** reference and should be withdrawn.

In contrast, **Yoshida et al.** discloses a lamp having a coil attached to an electrode. (Yoshida et al., Col. 2, lines 53-55). However, the **Yoshida et al.** reference does not disclose a light burner having "a number of *containment elements ... configured* to (i) *constrain* the wrapping in its motion and (ii) *allow substantial free movement* of the wrapping to expand over the electrode shaft *in both* radial and axial directions within the *constrained motion*" as is recited in claim 1 of the present application.

Accordingly, claim 1 is allowable and an early formal notice thereof is requested. Dependent claims 4 and 5 depend from and further limit independent claim 1 and therefore are allowable as well.

### **Rejection under 35 U.S.C. §103**

Claims 2, 3 and 6-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Yoshida et al.** in view of **Ookubo et al.** (US 6,369,509 B1). With respect to claims 2, 3 and 6-10, Applicant respectfully traverses this rejection for at least the following reason.

Dependent claims 2 and 3 depend from and further limit independent claim 1 and therefore is allowable as well. The 35 U.S.C. § 103(a) rejection thereof has now been overcome.

Independent claim 6 has been amended herein to include limitations similar to those of claim 1. Accordingly, claim 6 is believed allowable for at least the same reasons as presented herein above with respect to overcoming the rejection of claim 1, and an early formal notice thereof is requested. Dependent claims 7-10 depend from and further limit independent claim 6 and therefore are allowable as well.

### **Conclusion**

Except as indicated herein, the claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or a continuation application.

It is clear from all of the foregoing that independent claims 1 and 6 are in condition for allowance. Dependent claims (2-5) and (7-10) depend from and further limit independent claims 1 and 6, respectively, and therefore are allowable as well.

The amendments herein are fully supported by the original specification and drawings; therefore, no new matter is introduced. An early formal notice of allowance of claims 1-10 is requested.

Respectfully submitted,



Michael J. Balconi-Lamica  
Registration No. 34,291  
for Chris Ries, Reg. No. 45,799

Dated: 8-16-2008

Philips Intellectual Property & Standards  
345 Scarborough Road  
Briarcliff Manor, New York 10510  
Telephone: 914-333-9669  
Facsimile: 914-332-0615  
File: DE040091US1

a-32658.203